

Response Under 37 C.F.R. § 1.111
Application No. 10/642,640
Attorney Docket No. 030931

REMARKS

Claims 1-17 are pending in the application. Claims 1 and 16 have been amended and claims 2 and 17 have been cancelled. Claims 18-23 have been added. In light of the claim amendments and following remarks, applicants earnestly solicit reconsideration of the application.

Claim Objection:

Claim 1 has been amended to address the Office Action's objection.

On the Merits

Independent Claim 1:

Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by *Masuda* (US Application 2002/0172031).

Claim 1 has been amended to include the limitations formerly required in claim 2. Claim 1 now additionally requires that "said light guiding and emitting part propagates an ultrasonic wave through an optically transparent substrate...." Applicants submit that the features of amended claim 1 are not disclosed or fairly suggested by the cited references.

Supporting the claim amendment, for example, as shown in Figure 3 of the present application, and described in the first embodiment (starting on page 10), the glass substrate

(element 1 of Figure 3) serves at least two functions; “propagating a surface acoustic wave for detecting a touched position, and propagating light from a linear light source to emit the light to a reflective-type liquid crystal display.”

Therefore, as discussed in the specification, the disadvantage of having light refracted by multiple mediums is alleviated since the light need only pass through one medium, the glass substrate.

Masuda, when viewed in light of *An*, not only doesn’t disclose the requirements of amended claim 1, but *An* actually teaches away from the present invention. *An* discloses that the ultrasonic touch panel, “can be laminated on a frontlight LCD so as to serve as the input device.” Lines 3 and 4 of paragraph 59. Therefore, *An* actually discloses using two mediums to accomplish what the present invention does in one medium.

The present invention seeks to reduce the number of mediums the light must pass through. The present invention eliminates the need for using two mediums, one as an ultrasonic touch panel and the other as a lighting device, as taught in *An*, and teaches a new and better way to make an LCD touch panel using only one medium.

Claim 4:

The Office Action contends that *Masuda* discloses each element of claim 4. Claim 4 requires, “said light guiding and emitting part is a step-like structure formed on said light guiding part.” Figure 40 of *Masuda* discloses a step-like structure, but only on the light guiding part, not the light guiding and emitting part formed on the light guiding part, as required in claim 4. This embodiment of *Masuda* is also disclosed in Figure 1 as prior art in the present application.

Claim 9:

The Office Action contends *Masuda* discloses using grooves in the light guiding part, as presently taught in claim 9. However, as cited by the Office Action, element 25 of Figures 15 are “reflecting films” while element 26a1 is a “tilted region.” This is not the same as a “groove” as required in claim 9.

Claim 16:

The Office Action rejected claims 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Masuda* in view of *An*. Applicants have amended claim 16 by including the features of claim 17. Claim 16 now requires an “ultrasonic wave propagated through an optically transparent substrate ... comprising a light source ... and a light guiding and emitting part ... wherein said light guiding and emitting part is configured so that the light incident on said

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substrate ... is guided and emitted to the outside face of said substrate opposite to a face where the touched position is to be detected.”

As previously alluded to regarding amended claim 1, neither *Masuda* nor *An* disclose or fairly suggest the features of the multi-faceted nature of the “substrate,” as stated in amended claim 16. The said substrate acts as an; ultrasonic wave propagator (for detecting a touched position), in addition to a light source and a light guiding and emitting part. As previously stated *An* teaches away from incorporating these functions into one substrate. See lines 3 and 4 of paragraph 59.

New Claims 18-22:

Applicants have added new independent claim 18, along with dependent claims 19-23. Independent claim 18 incorporates the elements of claim 1 (pre-amendment) and claim 4. For the reasons set forth regarding the patentability of those claims, applicants respectfully submit that the new claims are in condition for allowance.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

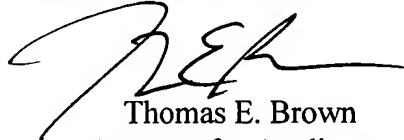
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If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

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